

Erik J. Foley  
Nevada Bar No. 14195  
LEWIS ROCA ROTHGERBER CHRISTIE LLP  
3993 Howard Hughes Pkwy, Suite 600  
Las Vegas, NV 89169-5996  
Tel: (702) 949-8200  
Email: efoley@lrrc.com

*Attorneys for Defendant JE Dunn Construction  
Company, Harford Fire Insurance Company,  
Federal Insurance Company, and Travelers  
Casualty and Surety Company of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, for the use  
and benefit of BOMBARD ELECTRIC, LLC,

Plaintiff,

vs.

JE DUNN CONSTRUCTION  
COMPANY, a Missouri corporation;  
SUSTAINABLE MODULAR  
MANAGEMENT, INC., a Texas corporation;  
HARTFORD FIRE INSURANCE COMPANY,  
a surety; TRAVELERS CASUALTY AND  
SURETY COMPANY OF AMERICA, a surety;  
FEDERAL INSURANCE COMPANY, a surety;  
PACIFIC INDEMNITY COMPANY, a surety;  
DOES 1 through 10; and ROE ENTITIES 11  
through 20, inclusive,

Defendants.

Case No.: 2:20-cv-01200-APG-VCF

Compl. Filed: June 24, 2020

**STIPULATION TO EXTEND  
CERTAIN DEFENDANTS'  
TIME TO RESPOND TO  
COMPLAINT**

**(FIRST REQUEST)**

This Stipulation to Extend Certain Defendants' Time to Respond to Complaint is  
made by and between Plaintiff United States of America, for the use and benefit of  
Bombard Electric, LLC ("Plaintiff") and Defendants JE Dunn Construction Company,  
Harford Fire Insurance Company, Federal Insurance Company, and Travelers Casualty

and Surety Company of America (“Defendants”) through their respective counsel, in light of the following facts:

RECITALS

A. Plaintiff filed the Complaint (“Complaint”) on or about June 24, 2020.

B. The current deadline for all defendants to respond to the Complaint is July 23, 2020.

C. All defendants have been served.

D. This stipulation is filed after the response deadline has passed as the result of excusable neglect. Undersigned defense counsel anticipates representing all defendants in this matter with the exception of Defendant Sustainable Modular Management, Inc. The remaining five defendants are separate corporate entities, with principal places of business located across the United States. To date, undersigned defense counsel has been able to enter into representation agreements with all of these defendants except Pacific Indemnity Company. Counsel anticipates (though cannot be certain) that Pacific Indemnity Company will enter into a similar representation agreement. This process has taken longer than anticipated; and it is likely that conditions resulting from the COVID-19 pandemic have contributed to this delay.

E. To (1) allow time for defense counsel to formalize representation of Pacific Indemnity Company, (2) gather the facts necessary to analyze and respond to Plaintiff’s claims, and (3) coordinate the responses of all five of these defendants so that these five defendants can provide a single response to Plaintiff’s Complaint, the parties agreed that these defendants shall have until September 3, 2020, to respond to the Complaint.

F. There is good cause to grant this stipulation because the extension avoids the necessity of filing multiple responses to the Complaint, and the associated costs.

G. This stipulation is filed in good faith and not intended to cause delay.

H. Pursuant to Local Rule IA 6-2, Plaintiff and Defendants respectfully request that the Court extend the time for Defendants’, as well as Pacific Indemnity Company’s, time to respond to Plaintiff’s Complaint through September 3, 2020.

**STIPULATION**

NOW, THEREFORE, Plaintiff and Defendants hereby stipulate and agree that the following defendants have up to and including September 3, 2020, to file a response to Plaintiff's Complaint: (1) JE Dunn Construction Company, (2) Hartford Fire Insurance Company, (3) Travelers Casualty and Surety Company of America, (4) Federal Insurance Company, and (5) Pacific Indemnity Company.

**IT IS SO STIPULATED.**

DATED this 4th day of August, 2020.

DATED this 4th day of August, 2020.

**WILLIAMS | STARBUCK**

**LEWIS ROCA ROTHGERBER  
CHRISTIE LLP**

By: /s/Donald H. Williams  
Donald H. Williams  
Nevada Bar No. 5548  
Williams Starbuck  
612 South Tenth Street  
Las Vegas, NV 89101

By: /s/ Erik J. Foley  
Erik J. Foley  
Nevada Bar No. 14195  
3993 Howard Hughes Pkwy, Suite 600  
Las Vegas, NV 89169

*Attorneys for Plaintiff*

*Attorneys for Defendants JE Dunn  
Construction Company, Hartford Fire  
Insurance Company, and Travelers  
Casualty and Surety Company*

**ORDER**

IT IS SO ORDERED.

  
\_\_\_\_\_  
United States Magistrate Judge

DATED 8-11-2020